

REMARKS

Claims 1-2 and 4-12 and 37-41 are pending. Of those, claims 1, 10, 13, 21 and 29 are independent. Previously, claim 3 was canceled.

Claim Objection

On page 2 of the Office Action, claim 39 is objected to because it is not clear to the Examiner as to what the term "more outboard" is relative.

By this reply, Applicants have clarified claim 39 to change the phrase "relatively more outboard than the first surface" to --more outboard, relative to an imaginary radius extending from a center point of the surface panel and sweeping out an imaginary plane substantially parallel to the back surface, than the first surface--. Withdrawal of the objection is requested.

§102 Rejection

On page 2 of the Office Action, claims 1, 2, 4 and 38-41 are rejected under 37 U.S.C. §102(b) as being anticipated by newly-cited U.S. Patent No. 4,875,320 to Sparkes (the '320 patent). Applicants traverse.

Initially, Applicants wish to thank the Examiner for having supplied a copy of the Examiner's marked-up version of Fig. 3 of the '320 patent. This significantly helped further Applicants' understanding of how the Examiner has interpreted the '320 patent.

Applicants will assume for the sake of argument that the Examiner's marked-up version of Fig. 3 (hereafter, marked-up Fig. 3) of the '320 patent reasonably discloses the following: a back surface; a first surface (coincidentally denoted by reference No. 12); a second surface; and a face surface (coincidentally denoted by reference number 21). But Applicants disagree with the asserted correspondence of the Examiner's third surface with the present claim language.

If Applicants had only claimed a third surface intersecting the second surface, then perhaps the Examiner's assertion regarding the third surface of

marked-up Fig. 3 would be reasonable. But Applicants have recited more regarding the third surface. Claim 1 further recites that the third surface is substantially orthogonal to the face surface. It appears that the Examiner has ignored or perhaps overlooked this language of claim 1, either of which is improper.

The third surface of marked-up Fig. 3 exhibits an oblique angle of intersection with the second surface. The second surface is parallel to the face surface (coincidentally denoted by reference No. 12). Hence, the third surface of marked-up Fig. 3 also exhibits an oblique angle of intersection with the face surface.

And so, a distinction of claim 1 over the '320 patent is a third surface that is substantially orthogonal to the face surface. Claims 2, 4 and 38-41 depend from claim 1, respectively, and exhibit at least the distinction of claim 1 by dependency.

In view of the foregoing discussion, the §102(b) rejection of claims 1-2, 4 and 38-41 over the '320 patent is improper and Applicants request that it be withdrawn.

§103 Rejections

On page 4 of the Office Action, claims 5 and 7-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over the '320 patent taken alone. Applicants traverse.

Claims 5 and 7-9 depend from claim 1, respectively, and exhibit at least the distinction of claim 1 (noted above) by dependency. Accordingly, the §103(a) of claims 5 and 7-9 over the '320 patent is improper and Applicants request that it be withdrawn.

Beginning on page 5 of the Office Action, claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over the '320 patent in view of U.S. Patent No. 3,919,444 to Shayman (the '444 patent). Applicants traverse.

Claim 6 depends from claim 1, respectively, and exhibits at least the distinction of claim 1 (noted above) over the '320 patent. The '444 patent does

not overcome the deficiency in the '320, and thus the distinction over the '320 patent also represents a distinction over the '444 patent. Accordingly, the §103(a) of claim 6 over the '320 patent as modified by the '444 patent is improper and Applicants request that it be withdrawn.

Allowable Subject Matter

Applicants acknowledge with appreciation the Examiner's indication that claims 10-12 are allowed, and that claim 37 is allowable but for its dependence upon a rejected claim.

Comments on Statement of Reasons For Allowance

On page 6 of the Office Action, the Examiner presents a Statement of Reasons for Allowance regarding claims 10-12. Applicants do not disagree that the indicated claims are allowable. Instead, Applicants wish to note the following.

The Examiner has paraphrased the language of independent claim 10 as an expedient for the purposes of calling to mind the explicit language of each (taken as a whole) of 10-12. Applicant's understanding is that such paraphrasing is not an attempt to introduce limitations into, characterize the meaning of, or interpret any of the claims. Lastly, while the Examiner might indicate that an element of a claim is of greater interest to her, it is to be recalled that patentability considers each claim taken as a whole.

CONCLUSION

The issues in the case are considered to be resolved. Accordingly, Applicants again request a Notice of Allowability.

Person to Contact

In the event that any matters remain at issue in the application, the Examiners are invited to contact the undersigned at the telephone number indicated below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-0568 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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